The College defalcation case.

221. **Mr. E. Ikkanda Warriar.**—Will the Government be pleased to state.—

(a) who were the persons adjudged guilty in the College defalcation case ;

(b) what were the punishments given to them ;

(c) why were they not prosecuted before a Criminal Court;

(d) what is the total amount spent in conducting the inquiry;

(e) whether any portion of the amount defalcated has been realised ?

Mr. I. N. Menon.—(a) Messrs. J. Dasa Prabhu, Head clerk, and G. Ramakrishna Ayyar, 2nd clerk.

(b) Mr. J. Dasa Prabhu was retired on half the pension to which he would ordinarily be entitled and a sum of Rs. 58 was ordered to be recovered from him. Mr. Ramakrishna Ayyar was retired on such pension as he may be entitled to.

(c) Government did not consider it necessary to resort to criminal prosecution.

(d) A sum of Rs. 34—1—0 was spent by way of T. A.

(e) No. Steps are being taken to realise the amount.

Mr. E. Ikkanda Warriar.—What is the total amount defalcated ?

Mr. I. N. Menon.—It is below Rs. 300; this is the amount so far fixed at the time of the investigation.

Mr. E. Ikkanda Warriar.—What was the amount found actually missing ?

Mr. I. N. Menon.—No amount was missing. We have not the vouchers for certain sums which are actually drawn and not paid to the persons concerned. In one instance the person who ought to have been paid had died. The absence of a voucher against the entry showing that the amount was paid has to be treated as defalcation.

Mr. E. Ikkanda Warriar.—What was the amount which was not covered by vouchers ?

Mr. I. N. Menon.—It is below Rs. 300; I want notice for further details.

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Mr. E. Ikkanda Warriar.—What are the steps taken to realise the amount ?

Mr. I. N. Menon.—The amount will be deducted from the pension due.

Mr. E. Ikkanda Warriar.—What is the amount that is proposed to be recovered and who are the persons found liable for them ?

Mr. I. N. Menon.—I have said in reply the amount that one man Mr. Prabhu is responsible for. What precisely is the amount to be recovered from the other is under consideration.

Mr. E. Ikkanda Warriar.—Why is it that the Government does not consider it necessary to resort to criminal prosecution ?

Mr. I. N. Menon.—I cannot give all the reasons the Government have now. Government think of recovering as much as possible.

Mr. E. Ikkanda Warriar.—Is that the practice that the Government is going to follow in future cases ?

Mr. I. N. Menon.—If there is an absolute repetition of the same situation Government will be guided by the same motive.

Mr. E. Ikkanda Warriar.—What is the period covered by these defalcations ?

Mr. I. N. Menon.—About two years.

Mr. E. Ikkanda Warriar.—Is it not four years ?

Mr. I. N. Menon.—No ; about two years.

Mr. E. Ikkanda Warriar.—Is it because that there was not sufficient evidence that these people were not prosecuted?

Mr. I. N. Menon.—That is not so. Even when there is sufficient evidence Government thought it is not necessary to launch into criminal proceedings.

Mr. E. Ikkanda Warriar.—It is not for want of evidence, I suppose?

Mr. I. N. Menon.—No.

Mr. E. Ikkanda Warriar.—May I know, Sir, whether the Government will be pleased to place the orders of the Government disposing of this file on the table so that we may know?

Mr. T. S. Narayana Ayyar.—No. There are various orders; enquiries have not been closed.

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Mr. E. Ikkanda Warriar.—May we know the contents of the order?

Mr. T. S. Narayan Ayyar.—Definite and final orders have not yet been passed. Until further orders have been issued this cannot be said to be complete.

Mr. P. Kumaran Ezhuthassan.—Have not copies of the order retiring them from service been given to them?

Mr. I. N. Menon.—It is not always the practice to communicate entire proceedings to every one concerned. Parts of the proceedings relating to individuals must have been communicated.

Mr. P. Kumaran Ezhuthassan.—Will they be pleased to place on the table what has been communicated to these people?

Mr. I. N. Menon.—That will of course be in the hands of those people.

Mr. E. Ikkanda Warriar.—Was it not on surmises that Mr. Ramakrishna Ayyar was punished?

Mr. I. N. Menon.—No action will be taken by the Government on surmises.

Mr. P. Kumaran Ezhuthassan.—May I know whether there was any piece of evidence against Mr. Ramakrishna Ayyar to show that he was responsible for any part of the defalcation? Whether there was an observation in the order that there is no evidence against Mr. Ramakrishna Ayyar?

Mr. I. N. Menon.—It was not said in the order that there was no evidence against him.

Mr. E. Ikkanda Warriar.—Was it not a fact that there existed only a mere suspicion against Mr. Ramakrishna Ayyar, and that he was not supplied with the necessary information that he requested for?

Mr. I. N. Menon.—It is not correct.

Mr. E. Ikkanda Warriar.—Am I to take it that the answer to my question is not correct. Was there no such expression in the order?

Mr. I. N. Menon.—Since the Hon'ble Member is asking for an expression, I may be given time to go into the files.

Mr. P. Kumaran Ezhuthassan.—May I know whether one of the delinquents was given full pension that he is entitled to under the service rules?

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Mr. I. N. Menon.—He was given half of what he would have been entitled.

Mr. P. Kumaran Ezhuthassan.—May I know what service has been put in by the other delinquent Mr. Ramakrishna Ayyar ? I understand that he is a young man.

Mr. I. N. Menon.—Between 15 and 20 years.

Mr. P. Kumaran Ezhuthassan.—Is this not the first occasion that such a suspicion or evidence of defalcation has been noted against this man ?

Mr. I. N. Menon.—I think that the Hon'ble Member wants a history of his service.

Mr. P. Kumaran Ezhuthassan.—What I wish to place before the Government is that in the light of the services he has put in and according to my information that this is the first instance in which such a complaint has been noted against him and also in the light of the observation in the order that there has been only a suspicion, will the Government be pleased to reconsider his case and give him an opportunity to serve the Government and dispose of the matter when he errs again ?

Mr. I. N. Menon.—But the person is gone and the Government has been very lenient in allowing him a proportionate pension. That is all that he can get.

Mr. E. Ikkanda Warriar.—Did Mr. Ramakrishna Ayyar seek permission of Government to appear before the Diwan through a Vakil ?

Mr. P. V. Subramania Ayyar.—Yes.

Mr. E. Ikkanda Warriar.—Was he allowed to do it?

Mr. P. V. Subramania Ayyar.—Yes.

Mr. E. Ikkanda Warriar.—Was he allowed to represent the whole cause or was he allowed in case of interim petition ?

Mr. P. V. Subramania Ayyar.—It seems he has applied that the facts should be heard more than once.

Mr. E. Ikkanda Warriar.—Was he supplied with all the relevant papers from the very beginning?

Mr. P. V. Subramania Ayyar.—All papers were supplied to him as far as possible.

Mr. E. Ikkanda Warriar.—After giving all the papers did he apply to the Government again for representing his cause before the Diwan through a vakil ?

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Mr. P. V. Subramania Ayyar.—Government are not aware when he applied for the vakil to be heard or whether he was in possession of all the papers, or not.

Mr. E. Ikkanda Warriar.—Asking for copies of papers how can the Government say that they are not aware?

Mr. P. V. Subramania Ayyar.—The various petitions he has put in will show that.

Mr. E. Ikkanda Warriar.—In the light of this may I request the Government to hear him through a vakil before final orders are passed?

Mr. T. S. Narayana Ayyar.—Full representation of the case has already been made and he has been heard.

Mr. P. Kumaran Ezhuthassan.—Was it not with regard to the interim requests during the period of enquiry?

Mr. T. S. Narayana Ayyar.—No.

Mr. E. Ikkanda Warriar.—Was it not for getting some allowance and was he given notice for the hearing?

Mr. T. S. Narayana Ayyar.—So far as the file shows he has been fully heard and all the points have been presented through a vakil.

Mr. C. R. Iyyunni.—Are not the accounts of the College audited every year?

Mr. P. V. Subramania Ayyar.—Yes.

Mr. C. R. Iyyunni.—Was the mistake of defalcation found out in the first year they have audited the accounts?

Mr. P. V. Subramania Ayyar.—Yes, irregularities were noticed.

Mr. C. R. Iyyunni.—Were explanations called for from the department regarding these irregularities?

Mr. P. V. Subramania Ayyar.—They were called for.

Mr. C. R. Iyyunni.—Did the Comptroller's office satisfy itself with these explanations. Were their objections found satisfactory?

Mr. P. V. Subramania Ayyar.—They were not found satisfactory.

Mr. E. Ikkanda Warriar.—Did they take any action then and there?

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Mr. P. V. Subramania Ayyar.—Yes, as action required.

Mr. E. Ikkanda Warriar.—May I know who conducted it and at whose instance action was taken?

Mr. P. V. Subramania Ayyar.—The whole question was the result of the audit made. When the audit was made it was not certain whether there was any defalcation at all. It was only on enquiry that this matter of defalcation was brought to light.

Mr. E. Ikkanda Warriar.—May I know who is the officer who found out this?

Mr. P. V. Subramania Ayyar.—The audit staff in the Comptroller's office.

Mr. E. Ikkanda Warriar.—Is it the audit staff of the Principal of the College who brought it to the notice of the Government?

Mr. I. N. Menon.—With your leave, Sir, I shall make a statement on this subject. The audit staff made a report as usual signifying the existence of certain irregularities. These were read by the clerks. They never showed it the light of day for months together. Reminders were sent and finally almost providentially the custodian, the Principal, happened to see one of these papers, one of the latter reminders, and discoverd that the staff had continually suppressed all the communications and the suspicison of defalcation came into his notice. The audit had done what it had to do. It made a report. The reminders never reached the Principal.

Mr. E. Ikkanda Warriar.—Does not the Principal read the annual audit report?

Mr. I. N. Menon.—The observations on the audit never reached the Principal. That was his first complaint.

Mr. E. Ikkanda Warriar.—Is not the Principal expected to go through the audit report?

Mr. I. N. Menon.—Yes. But these papers were kept by the clerks in the office. I admit that it is a mistake on the part of the Principal also. All these show that there was some indication of guilt and the order was passed on that and not upon a mere suspicion.

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222. Mr. A. V. Moothedan.—Will the Government be pleased to state,—

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